

REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF
NEW HARTFORD, HELD AT THE MUNICIPAL BUILDING,
8635 CLINTON STREET, NEW HARTFORD , NEW YORK, ON
WEDNESDAY, APRIL 15, 2020, AT 6:00 P.M.

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Highway Superintendent Richard Sherman
Director of Personnel Barbara Schwenzfeier
Police Chief Michael S. Inserra
Town Attorney Herbert Cully
Town Clerk Gail Wolanin Young
Deputy Clerk I Melody K. Fancett

Thereafter a quorum was declared present for the transaction of business.

Supervisor Miscione opened the meeting stating the Board will have a special guest at 6:15 P.M. through Zoom from the Town Engineering Firm Brian K. Madigan, Landscaper & Architect who is representing the Town and working with Buck properties who is requesting to start phase 3 of their project regarding the Hartford Luxury Apartments.

Covid 19 Epidemic:

Town Attorney Cully presented Governor Cuomo's Executive Order suspending all aspects of the Open Meeting Law, which was then offered for adoption by Councilman Messa and duly seconded by Councilman Lenart:

(RESOLUTION NO. OF 2020)

WHEREAS, due to the Town of New Hartford being in a State of Emergency and in accordance with Executive Law:

RESOLVED, until further notice, the New Hartford Town Board does hereby suspend all aspects of the Open Meeting Law: All meetings will be on the Town's web-site for public viewing.

Roll Call:	Councilman Messa	-	Aye
	Councilman Lenart	-	Aye
	Councilman Reynolds	=	Aye
	Councilman Woodland	=	Aye
	Supervisor Miscione	=	Aye

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Unanimously carried and duly adopted.

STATE OF EMERGENCY PROCLAMATION – COVID-19 PANDEMIC:

Pursuant to New York State Executive Law, Article 2-B, as Chief Executive of the Town of New Hartford, I hereby find that the current Covid-19 pandemic has created emergency conditions which I find threaten or imperil to public safety of the citizens of the Town of New Hartford.

Therefore, I hereby declare and proclaim A STATE OF EMERGENCY in the Town of New Hartford effective at 9:00 A.M. on March 20, 2020. This official proclamation shall remain in effect for thirth (30) days unless it is rescinded or extended by me in accordance with the provisions of New York State Executive Law.

I further hereby exercise the authority given to me, as Supervisor, under New York State Executive Law, Article 2-B, to preserve public safety and to hereby render all required and available assistance vital to security, well-being and health of the citizens of the community.

The State of Emergency shall include the entire geographical area of the Town of New Hartford.

I hereby direct ALL departments to take those steps necessary to protect life, property, and public infrastructure and to render emergency assistance in the furtherance of the Orders enacted pursuant to this proclamation.

Councilman Messa presented then offered for adoption by Councilman Messa and duly seconded by Councilman Lenart:

(RESOLUTION NO. OF 2020)

RESOLVED, the New Hartford Town Board does hereby approve the State of Emergency Proclamation caused by the COVID 19 pandemic.

Roll Call:	Councilman Messa	-	Aye
	Councilman Lenart	-	Aye
	Councilman Reynolds	=	Aye
	Councilman Woodland	=	Aye
	Supervisor Miscione	=	Aye

Unanimously carried and duly adopted.

Appointment – Senior Office Specialist I:

Upon recommendation of Police Chief Michael Inserra, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Messa
:

(RESOLUTION NO. OF 2020)

WHEREAS, Allison K. Adams took and passed the State Civil Service Examination for the position of Senior Office Specialist 1, be it,

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RESOLVED, that the New Hartford Town Board does hereby appoint Allison K. Adams as a Senior Office Specialist I for the Police Department commencing immediately, at an hourly wage of eighteen dollars and one cent (\$18.01), payable bi-weekly.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

Appointment – Part-Time Clerk:

Upon recommendation of Police Chief Michael Inserra, the following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Messa
:

(RESOLUTION NO. OF 2020)

RESOLVED, that the New Hartford Town Board does hereby appoint Susan Donnenwirth as a part-time Clerk for the Police Department commencing April 27, 2020, at an hourly wage of eighteen dollars (\$18.00), payable bi-weekly. Due to Susan Donnenwirth's retirement she will be on "an as-needed basis".

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

DWI Selective Enforcement Patrol Agreement:

Councilman Miscione presented the DWI Selective Enforcement Patrol Agreement for the fiscal year 2020 between Oneida County and the New Hartford Police Department. Thereafter, Councilman Lenart offered the following Resolution for adoption; seconded by Councilman Messa:

(RESOLUTION NO. OF 2020)

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RESOLVED that the New Hartford Town Board does hereby authorize Supervisor Miscione to sign and execute the Oneida County Stop-DWI Program for the fiscal year 2020.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly ***ADOPTED***.

Town Audit- Drescher & Malecki LLP:

Councilman Woodland presented the following Resolution for consideration; seconded by Councilman Reynolds:

RESOLVED that the Town Board does hereby authorize the Town Supervisor to accept the price from Drescher & Malecki LLP for the 2019 Town Audit at the price of \$28,665.00.

FURTHER RESOLVED, Councilman Messa requested that Drescher & Malecki will provide monthly reports of work completed and hours. Supervisor Miscione stated they will provide quote for future work to be approved by the Town Board. Supervisor Miscione offered them to come do a quarterly event with the Town Board.

BE IS FURTHER RESOLVED that the Town Board will retain Drescher & Malecki LLP for future financial knowledge, questions, reports, consulting and all the audits at a rate of \$110.00 per hour with contracts to be approved by the Town Board with no contracts at this time.

No Motion needed at this time, **this was tabled for a future meeting.**

Northland Communication IP Office Support Services Agreement (IPOSS):

Councilman Woodland presented the Northland Communication IP Office Support Services Agreement (IPOSS) effective April 30, 2020 seconded by Councilman Messa.

(RESOLUTION NO. OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize Supervisor Miscione to sign and execute the Northland Communication IP Office Support Services Agreement (IPOSS).

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

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Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly ***ADOPTED***.

Purchase Dell Latitude 7400 P.C.'s on State Contract:

Councilman Miscione presented the quote from Dell for the purchase of 7 Dell Latitude 7400 P.C.'s off state contract No. PM20820.

Thereafter, Councilman Lenart offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize Supervisor Miscione to purchase seven (7) Dell Latitude 7400 P.C.'s off State Contract No. PM20820 for a total of \$12,488.88 to be paid out of Bond monies.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly ***ADOPTED***.

Mitigation Fee's – SAES Smart Materials, Proposed Expansion/Special Metals:

Councilman Lenart offered the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize Supervisor Miscione to accept the total mitigation fees in the amount of \$63,067.50 from SAES Smart Materials, Proposed Expansion/Special Metals, 4355 Middle Settlement Road, New Hartford to complete their project.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

ATM Contract Status

Town Attorney stated he has not heard anything nor has he received anything to date so this was tabled until the next meeting.

Brian K. Madigan, Landscape Architect (Town Engineer/Buck Properties):

Councilman Miscione presented a zoom teleconference at 7:01 P.M. with the Town Board and Landscape Architect Brian K. Madigan regarding the Buck Properties project for Special Metals. Mr. Madigan stated everything (road drainage) was completed except for 2 pipes which was a minor detail and stated they will combine 2 flairs into one and in addition cleared the rail bed. Councilman Reynolds clarified that the New Hartford Town Assessor was doing partial assessments on this project to date. Highway Superintendent Sherman wanted to be assured that if this engineering design with the piping fails and the water goes over the road at a later date, Buck Properties would be responsible.

Thereafter, Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. OF 2020)

RESOLVED that the New Hartford Town Board does hereby authorize the issuance of a building permit for the commencement of phase III to Buck Properties for the Special Metals project.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Abstained.

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

Audit of Vouchers

Councilman Woodland moved the following Resolution for adoption, seconded by Councilman Lenart:

RESOLVED, that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of the bills itemized on the following Abstracts, which had been duly audited by the Town Board:

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

Three Month Activity – Town Justices:

Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. OF 2020)

RESOLVED that the New Hartford Town Board does hereby accept the three month activity submitted by both the Town Justices.

The Board voted upon roll call, resulting as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

The Resolution was thereafter declared unanimously carried and duly *ADOPTED*.

Agreement to spend Town Highway Funds – Highway Law, Section 284

Supervisor Miscione stated that the Highway Superintendent had the main list of roads to be paved in 2020. The Town Supervisor verbally reviewed the streets to be paved and Councilman Messa inquired about paving all of Oneida Street instead of just a portion and the amount of the bond; the Highway Superintendent replied that they took them off the list.

Councilman Lenart then introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. OF 2020)

RESOLVED that, pursuant to the provisions of Section 284 of the Highway Law, the Town Board and Highway Superintendent do hereby agree that moneys were bonded for the repairs and improvements of highways, and received from the State or other sources for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS (5110 and 5120): The sum of \$700,000.00 may be expended for general repairs upon 4.5 miles of Town highways, including sluices, culverts and bridges having a span of less than five (5) feet and boardwalks or the renewals thereof.
2. IMPROVEMENTS (5112): The following sums shall be set aside to be expended for the improvement of Town highways:

Central Plant Recycle/Hot Top-Black Top

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Oakwood Drive/Paris Rd to NY Rt. 12	(1.10 miles)...
<u>Central Plant Recycle/Oil Stone-Black Top</u>	
Oneida Street/Mallory Road to Mohawk Street	(1.32 miles)....
<u>Mill & Fill 2.5" Hot Mix – Concrete/Black Top</u>	
Kellogg Road/Oneida Street to Oxford Road	(1.10 miles).....
TOTAL: \$ 700,000.00	

3. GENERAL REPAIRS (5110 and 5120): The sum of \$40,000.00 may be expended for general repairs upon 0.39 miles of Town highways, including sluices, culverts and bridges having a span of less than five (5) feet and boardwalks or the renewals thereof.
4. IMPROVEMENTS (5112): The following sums shall be set aside to be expended for the improvement of Town highways:

<u>Cold Pave – Mill & Fill – Black Top</u>	
Tilden Ave/Beckwith Circle to Narla Lane	(0.11 miles)...
Beckwith Circle/Narla Lane	(0.19 miles)....
Lowell Drive Patch	(0.09 miles).....
TOTAL: \$ 40,000.00	

5. GENERAL REPAIRS (5110 and 5120): The sum of \$47,000.00 may be expended for general repairs upon 3.03 miles of Town highways, including sluices, culverts and bridges having a span of less than five (5) feet and boardwalks or the renewals thereof.
6. IMPROVEMENTS (5112): The following sums shall be set aside to be expended for the improvement of Town highways:

<u>Oil & Stone Surface Treatment – Black Top</u>	
Neals Gulf to Grange Hill Road	(1.24 miles)...
Oneida Street/Grange Hill Road to Town Line	(0.60 miles)....
Lower Sessions Road to Mohawk Street	(1.19 miles).....
TOTAL: \$ 47,000.00	

The Resolution was then voted upon as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

Thereafter, the Supervisor declared the Resolution unanimously carried and duly *ADOPTED*.

Declaration of Surplus Vehicle – Authorization to Sell:

Upon request of the Highway Superintendent, the following Resolution was offered for adoption by Councilman Lenart and duly seconded by Councilman Reynolds:

(RESOLUTION NO. OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does hereby declare as surplus one (1) 2001 Freightliner Dump Truck (1FVHBGAS01HJ49439); one (1) 2002 Chevy Pick-Up Truck (1GCEC14W42Z295216); one (1) 2003 Freightliner Dump Truck (1FVABTAK23HK67148); one (1) 2014 Ford Taurus (1FAHP2MK5EG175466), Flatbed Trailer, and 50 shop lights & snowplow, weights and sander does hereby authorize the Highway Superintendent to sell all vehicles through Auctions International; and once sold, the Town Clerk's Office shall be notified and shall arrange to terminate insurance coverage on said vehicle; and be it

The foregoing Resolution was voted upon by roll call as follows:

Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly *ADOPTED*.

Dog License – Late Fee Waived:

Town Clerk Gail Wolanin Young stated that people are having issues getting dogs into the Veterinarian for updated rabies during the State mandated stay-at-home order (Covid-19 Virus) and this will affect the availability to license the dog within a penalty free period and requested the Town Board temporarily to waive the \$3.00 late fee.

Councilman Lenart then introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. OF 2020)

RESOLVED that, pursuant to the provisions of Section 56 of the Town Law, the Town Board and does hereby agree to temporarily waive the \$3.00 dog license late fee from March 20, 2020 until the end of the COVID 19 epidemic.

The foregoing Resolution was voted upon by roll call as follows:

Councilman Lenart	-	Aye
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Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Councilman Messa	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly *ADOPTED*.

Discussion:

Supervisor Miscione stated the March Revenue Appropriate Report is online for review.

Economic Times:

Due to the COVID 19 pandemic, Supervisor Miscione did a concrete analysis for the next two quarters and he's expecting a 30% drop but that number is unknown. Due to the lack of revenue and loss of sales tax, Supervisor Miscione is expecting a huge shortfall to the budget through May 31, 2020. He's asking the Board to view the budget for areas that can be changed or eliminated. Supervisor Miscione asked for a plan in place if the pandemic goes past May 15, 2020. Councilman Lenart and Councilman Messa suggested this process be done immediately so they are not scrambling on the deadline. Councilman Lenart suggested if the Town has to take a hit to do it when things are slower rather than when the Town returns back to the new normal and the staff is needed. Highway Supervisor Sherman stated he already made cuts to his department and has a plan with cutting services if needed. Supervisor Miscione stated he doesn't want to just cut services, he would also cut labor.

PPE Purchase:

Town Supervisor Miscione stated he purchased protective equipment for the Police Department and the Fire Department such as masks, gloves, thermometers and he appointed a health director to come up with a plan for the Town to follow.

Tax Penalty Inquiries:

Town Clerk Gail Wolanin Young informed the Town Board that she had a request from a Town resident to waive the tax penalty on his tax bill because they did not receive the initial bill due to incorrect addresses. The Town Board stated it's their responsibility to know they had a tax bill due and they were not interested in waiving the tax penalties fees.

Hockey Rink Glass & Boards for Sale:

Supervisor Miscione requested Highway Superintendent Sherman to get a price on selling them as a package deal through Auctions International because the Town has a donation for new ones.

Library Employee Layoffs:

Highway Superintendent Sherman reported that the New Hartford Library Board has voted to lay off employees during the COVID 19 Epidemic.

Grievance Day Assessment:

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Town Attorney Cully reported that Grievance Day is going forward per State Law but the wording was changed to state "submissions only" or by skype/zoom and that the Town will not allow appearances in May due to the COVID 19 Epidemic.

ADJOURNMENT

There being no further business to come before the Town Board, upon motion of Councilman Messa and duly seconded by Councilman Reynolds, the meeting was adjourned at 7:20 P.M.

Respectfully submitted,

Melody K. Fancett, Deputy Town Clerk